

United States District Court

for the

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Eastern District of Washington**

SEP 15 2006

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: James C. Danforth

Case Number: 2:90CR00247-001

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. Probation Officer

Date of Original Sentence: 08/22/1991

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of Firearm, 18
U.S.C. § 922(g); 924(e)

Date Supervision Commenced: 02/25/2005

Original Sentence: Prison - 180 Months; TSR - 60
Months

Date Supervision Expires: 02/24/2010

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall reside in a residential reentry center for a period of up to 180 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.
- 18 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 19 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

CAUSE

James Danforth violated conditions of supervised release by failing to appear for urinalysis testing on September 7, 2006; consuming excessive amounts of alcohol from September 4-12, 2006; consuming controlled substances (marijuana and opiate based medication without a prescription) on September 4 and 11, respectively; failing to enter a detox program as directed by USPO Gloria Petretee on September 8, 2006; and associating with a convicted felon, Cathy Travis-Hall, on September 7, 2006.

On September 12, 2006, the offender was summoned to the U.S. Probation Office to address the reported noncompliance. The offender admitted violating the above conditions of supervision as outlined. In addition, James Danforth signed an Admission of Drug Use form.

Prob 12B

Re: Danforth, James C.
September 14, 2006
Page 2

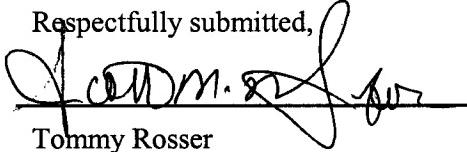
As the Court may recall, James Danforth has a long-standing history of substance abuse prior to and while under supervision. He last appeared before Your Honor on May 15, 2006, following his arrest for Driving Under the Influence and associating with a felon. The matter was continued pending further order of the Court.

As an intermediate sanction, James Danforth was verbally reprimanded and directed to refrain from the use of all mind altering substances, to include alcohol. It is expected that he will continue to avail himself for counseling and urinalysis testing as directed. Significant resources to address the offender's addiction problems have been extended to date. The undersigned no longer believes increasing the level of care will influence this offender's behavior.

James Danforth signed the attached waiver of hearing agreeing to participate in a residential reentry center for a period of 180 days. In addition, he agreed to abstain from the use of alcohol, and will submit to Breathalyzer testing.

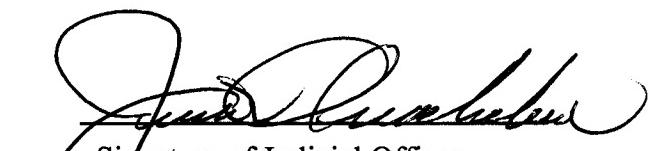
Reluctantly, it is respectfully recommended that the attached Waiver of Hearing to Modify Conditions of Supervised Release be adopted requiring James Danforth to reside at a residential reentry center for a period of 180 days. The undersigned officer would also recommend the Court take under advisement the request that the conditions of supervision be modified to authorize a maximum of six random Breathalyzer tests per month. This action is recommended in light of the Ninth Circuit Court of Appeals' findings in United States vs. Stevens (9th Circuit, 2005).

The undersigned officer will facilitate placement at Bannum Place of Spokane, if Your Honor concurs. However, in the event you choose to have a warrant or summons issued, please advise and the undersigned will prepare the appropriate petition and present it for your signature.

Respectfully submitted,
by 
Tommy Rosser
U.S. Probation Officer
Date: September 14, 2006

THE COURT ORDERS

- No Action
- The Extension of Supervision as Noted Above
- The Modification of Conditions as Noted Above
- Other



Signature of Judicial Officer
September 14, 2006
Date